

STATE OF NEW MEXICO  
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS  
ATTORNEY GENERAL

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February 21, 2019

*Via Email & First Class Mail*

Loretta Martinez  
Chief Legal Counsel  
Office of University Counsel  
MSC05 3440  
1 University of New Mexico  
Albuquerque, NM 87131-0001

Dear Ms. Martinez,

The Office of the Attorney General (OAG) has received inquiries regarding the University of New Mexico, and in particular the Health Sciences Center's payment of advanced degree tuition and travel expenses for UNM employees. These inquiries are particularly concerning in light of the OAG's current financial risk advisory to the University, as well as our ongoing oversight of these and related issues.

In particular, the OAG is concerned that these payments amount to fringe benefits and compensation to these individual employees, which must be compliant with with State and Federal law. Further, assuming this form of compensation is compliant with those requirements, these expenditures must be directly tied to the University's mission, should be offered in parity to the entire University staff and not just a select subgroup, and ultimately they must benefit UNM students. In addition to these concerns, the OAG is concerned with potential constitutional anti-donation issues arising from these expenditures, and also what the University's policies are for ensuring appropriate accountability during times when the State's budget is under constraint.

As the OAG fully evaluates this matter, we may contact the University for additional information and documentation related to these concerns. Thank you for your prompt attention to this matter. The OAG looks forward to working with you to ensure that the University is compliant with state and federal law, and that any action such as these are in the best interests of UNM students.

Sincerely,

A handwritten signature in black ink that reads "Tania Maestas". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

Tania Maestas  
Chief Deputy Attorney General